

Notice of Allowability

Application No.

09/657,505

Examiner

Tom Y Lu

Applicant(s)

BENEKE, KNUT

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on July 15, 2004.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 09/08/2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

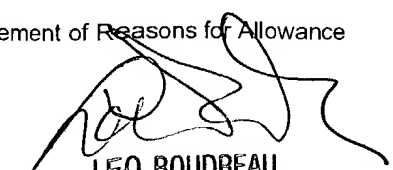
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


LEO BOUDREAU
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. The Request for Continued Examination filed on September 14, 2004 has been entered.
2. Upon entry of the Request for Continued Examination, the amendment filed on July 15, 2004 has been entered.
3. Claim 1 was amended.
4. Claims 1-10 are pending.

Response to Arguments

5. Applicant's arguments, see Remarks, pages 9-13, filed on July 15, 2004, with respect to Claims 1, 6 and 9 have been fully considered and are persuasive. The rejection of Claims 1, 6 and 9 has been withdrawn.

Allowable Subject Matter

6. Claims 1-10 are allowed.

The following is an examiner's statement of reasons for allowance:

- a. Independent Claim 1 defines steps of assigning a specific color to each of the plurality of sub-objects on the basis of an average atomic number; adjusting a brightness level of one of the specific colors by adjusting each pixel thereof with a determined color proportion of at least one of red, green or blue, whereby the adjustment of the brightness level takes into consideration the sensitivity of the human eye; displaying at least the plurality of sub-objects having the same x-ray absorption attributes on a monitor, whereby adjustment of the brightness level of one of the specific colors causes the human eye to view at least the plurality of

sub-objects as having equal brightness levels, wherein the brightness level of at least one of the specific colors, which is assigned to a sub-object, is adjusted if the x-ray absorption attribute associated with the sub-object is substantially equal to the x-ray absorption attribute of another sub-object. These steps in combination with other steps in Claim 1, which is the broadest allowable claim, are not taught or suggested by the art of record.

- b. Claims 2-5 are dependent upon Claim 1.
- c. Independent Claim 6 defines features of an evaluation unit for evaluating the detected X-ray beam and determining absorption values and an average atomic number for each of the sub-objects being contained in the object, the evaluation unit further assigning a specific color to each of the sub-objects on the basis of the average atomic number and assigning a brightness level to each of the sub-objects on the basis of the absorption values; and a display unit for displaying each of the sub-objects and their associated specific color and brightness level, wherein the brightness level of a sub-object is adjusted if the absorption value of the sub-object is substantially equal to the absorption value of another sub-object. These features in combination with other features in Claim 6, which is the broadest allowable claim, is not taught or suggested by the art of record.
- d. Claims 7-8 are dependent upon Claim 6.
- e. Independent Claim 9 is allowable for containing same allowable feature steps recited in Claim 6.
- f. Claim 10 is dependent upon Claim 9.

Art Unit: 2621

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

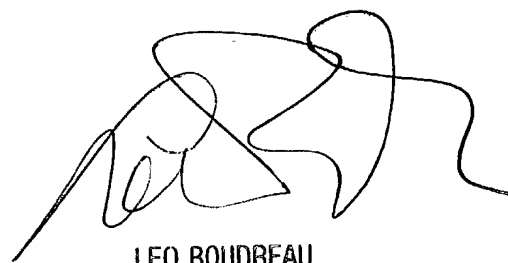
Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Y Lu whose telephone number is (703) 306-4057. The examiner can normally be reached on 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tom Y. Lu

A handwritten signature in black ink, appearing to read 'Leo Boudreau', with a stylized, looping flourish extending from the end.

LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600